

# Staff Summary Report



To: Mayor & City Council  
Through: City Manager

Agenda Item Number *39*  
Meeting Date 12/13/01

**SUBJECT: ORDINANCE FOR INTRODUCTION**

**PREPARED BY:** JIM CRISTEA, ENGINEERING MANAGER, LAND SERVICES (350-8417)

**REVIEWED BY:** NEIL MANN, DEPUTY PUBLIC WORKS MANAGER/CITY ENGINEER  
(350-8250)

**BRIEF:** Set public hearings for **January 10 & 17, 2002**, for the abandonment of a waterline easement within Price Warner Corporate Center.

**COMMENTS:** **ABANDONMENT (0901) ORDINANCE NO. 2002.05** Set a public hearing for January 10, 2002, and January 17, 2002, for the abandonment of a waterline easement within Price Warner Corporate Center. The easement was recorded in Instrument Number 2001-0456504. The easement is being abandoned due to a change in the design of the project that will no longer utilize the current waterline design. There are no existing facilities within the easement.

**Document Name:** (20011213PWDR09) Supporting Documents: Yes

**SUMMARY:** The waterline easement to be abandoned is recorded in Instrument Number 2001-0456504. Staff supports the abandonment of the easement.

**RECOMMENDATION:**

That the City Council hold a public hearing and adopt Ordinance No. 2002.05 and authorize the Mayor to execute any necessary documents.

Approved by: Glenn Kephart, Public Works Manager

ORDINANCE NO. 2002.05

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING A WATERLINE EASEMENT RECORDED IN INSTRUMENT 2001-0456504, WITHIN PRICE WARNER CORPORATE CENTER, LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 4 EAST, G&SRB&M.

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WHEREAS, it has been determined by the City Council of the City of Tempe that a certain easement which was intended for a waterline is no longer required by the City for use as such, and

WHEREAS, it would appear to be in the best interest of the City of Tempe to abandon said easement, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION I. That the City of Tempe does hereby abandon, relinquish and vacate a certain easement which was intended for a waterline as described and delineated on EXHIBIT "A" and "A-1" attached hereto.

SECTION II. That all rights of the City in that easement to be abandoned shall vest in the record owner(s) of the subject property and shall be subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land of which the easement is a part.

SECTION IV. That the City Engineer or his designee is hereby authorized to execute any documents that may be necessary to carry out the provisions of this Ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,

ARIZONA this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**LEGAL DESCRIPTION  
12' WIDE EASEMENT FOR WATER LINE  
S.W. CORNER OF PRICE & WARNER**

That portion of Tract A, CIRCLE G RANCHES 4 UNIT 3 AMENDED, recorded in Book 237 of Maps, Page 37, records of Maricopa County, Arizona, located in a portion of the Northeast quarter of Section 24, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the Northwest corner of said Tract A;  
Thence East, along the North line of said Tract A, a distance of 33.84 feet to the TRUE POINT OF BEGINNING;

Thence continuing East along said North line, a distance of 12.00 feet;

Thence South, leaving said North line, a distance of 29.76 feet;

Thence East 27.82 feet;

Thence South 12.00 feet;

Thence West 27.82 feet;

Thence South 124.44 feet;

Thence East 9.26 feet;

Thence South 12.00 feet;

Thence West 9.26 feet;

Thence South 236.98 feet;

Thence East 271.48 feet;

Thence North 134.81 feet;

Thence East 32.00 feet;

Thence South 12.00 feet;

Thence West 20.00 feet;

Thence South 122.81 feet;

Thence East 306.22 feet;

Thence North 258.51 feet;

Thence West 16.94 feet;

Thence North 12.00 feet;

Thence East 16.94 feet;

Thence North 30.85 feet to a point on the South line of a 12' Wide Water Line Easement, as described in Document 2000-0800638, records of Maricopa County, Arizona;

Thence South 86° 53' 29" East, along said South line, a distance of 12.02 feet;

Thence South, leaving said South line, a distance of 19.57 feet;

Thence East 7.71 feet;

Thence South 12.00 feet;

Thence West 7.71 feet;

Thence South 281.14 feet;

Thence West 103.95 feet;

Thence South 17.66 feet;

Thence West 12.00 feet;

Thence North 17.66 feet;

Thence West 304.51 feet;

Thence South 13.16 feet;

Thence West 12.00 feet;

Thence North 13.16 feet;

**EXHIBIT A**

Thence West 181.24 feet;  
Thence North 124.11 feet;  
Thence West 21.67 feet;  
Thence North 12.00 feet;  
Thence East 21.67 feet;  
Thence North 115.76 feet;  
Thence West 10.72 feet;  
Thence North 12.00 feet;  
Thence East 10.72 feet;  
Thence North 163.32 feet to the TRUE POINT OF BEGINNING.

Said easement contains 19,316 square feet more or less.

TOGETHER with the following described easement:

COMMENCING at the Northwest corner of said Tract "A";  
Thence East, along the North line of said Tract "A", a distance of 416.02 feet to the TRUE POINT OF BEGINNING;  
Thence continuing East, along said North line, a distance of 12.00 feet;  
Thence South  $00^{\circ} 14' 28''$  West, leaving said North line, a distance of 40.70 feet;  
Thence North  $89^{\circ} 45' 32''$  West 12.00 feet;  
Thence North  $00^{\circ} 14' 28''$  East 40.65 feet to the TRUE POINT OF BEGINNING.

Said easement contains 488 square feet more or less.



N.E.G. #1735  
04-10-01

EXHIBIT A

FILE NAME: 1735EX08

FILE SCALE: 1:100MS

FILE MODIFICATION DATE: 4-11-01

LINE TABLES

LINE	BEARING	DISTANCE
L1	N 90°00'00" E	33.84
L2	N 90°00'00" E	12.00
L3	S 00°00'00" E	29.76
L4	N 90°00'00" E	27.82
L5	S 00°00'00" E	12.00
L6	S 90°00'00" W	27.82
L7	S 00°00'00" E	124.44
L8	N 90°00'00" E	9.26
L9	S 00°00'00" E	12.00
L10	S 90°00'00" W	9.26
L11	N 00°00'00" E	134.81
L12	N 90°00'00" E	32.00
L13	S 00°00'00" E	12.00
L14	S 90°00'00" W	20.00
L15	S 00°00'00" E	122.81
L16	S 90°00'00" W	16.94
L17	N 00°00'00" E	12.00
L18	N 90°00'00" E	16.94
L19	N 00°00'00" E	30.85
L20	S 86°53'29" E	12.02
L21	S 00°00'00" E	19.57
L22	N 80°00'00" E	7.71

L23	S 00°00'00" E	12.00
L24	S 90°00'00" W	7.71
L25	S 90°00'00" W	103.95
L26	S 00°00'00" E	17.66
L27	S 90°00'00" W	12.00
L28	N 00°00'00" E	17.66
L29	S 00°00'00" E	13.16
L30	S 90°00'00" W	12.00
L31	N 00°00'00" E	13.16
L32	S 90°00'00" W	181.24
L33	N 00°00'00" E	124.11
L34	S 90°00'00" W	21.67
L35	N 00°00'00" E	12.00
L36	N 90°00'00" E	21.67
L37	N 00°00'00" E	115.76
L38	S 90°00'00" W	10.72
L39	N 00°00'00" W	12.00
L40	N 90°00'00" E	10.72
L41	N 00°00'00" E	163.32
L42	N 90°00'00" E	12.00
L43	S 00°14'28" W	40.70
L44	N 89°45'32" W	12.00
L45	N 00°14'28" E	40.65

**EXHIBIT A-1**

**NORMAN**  
ENGINEERING GROUP, INC.

7330 N. 16th Street A-314 Consulting Civil Engineers  
Phoenix, Arizona 85020  
Fax (602) 861-3473 (602) 371-0397



WATER LINE EASEMENT EXHIBIT  
SOUTHWEST CORNER OF  
WARNER ROAD & PRICE FREEWAY

DRN:	JB	SCALE:	1" = 100'
CHK:	JN	JOB NO.:	1735
DES:	JN	SHT	2 OF 2
DATE:	04-11-01		

FILE NAME: 1735EX06

FILE SCALE: 1:100MS

FILE MODIFICATION DATE: 04-11-01

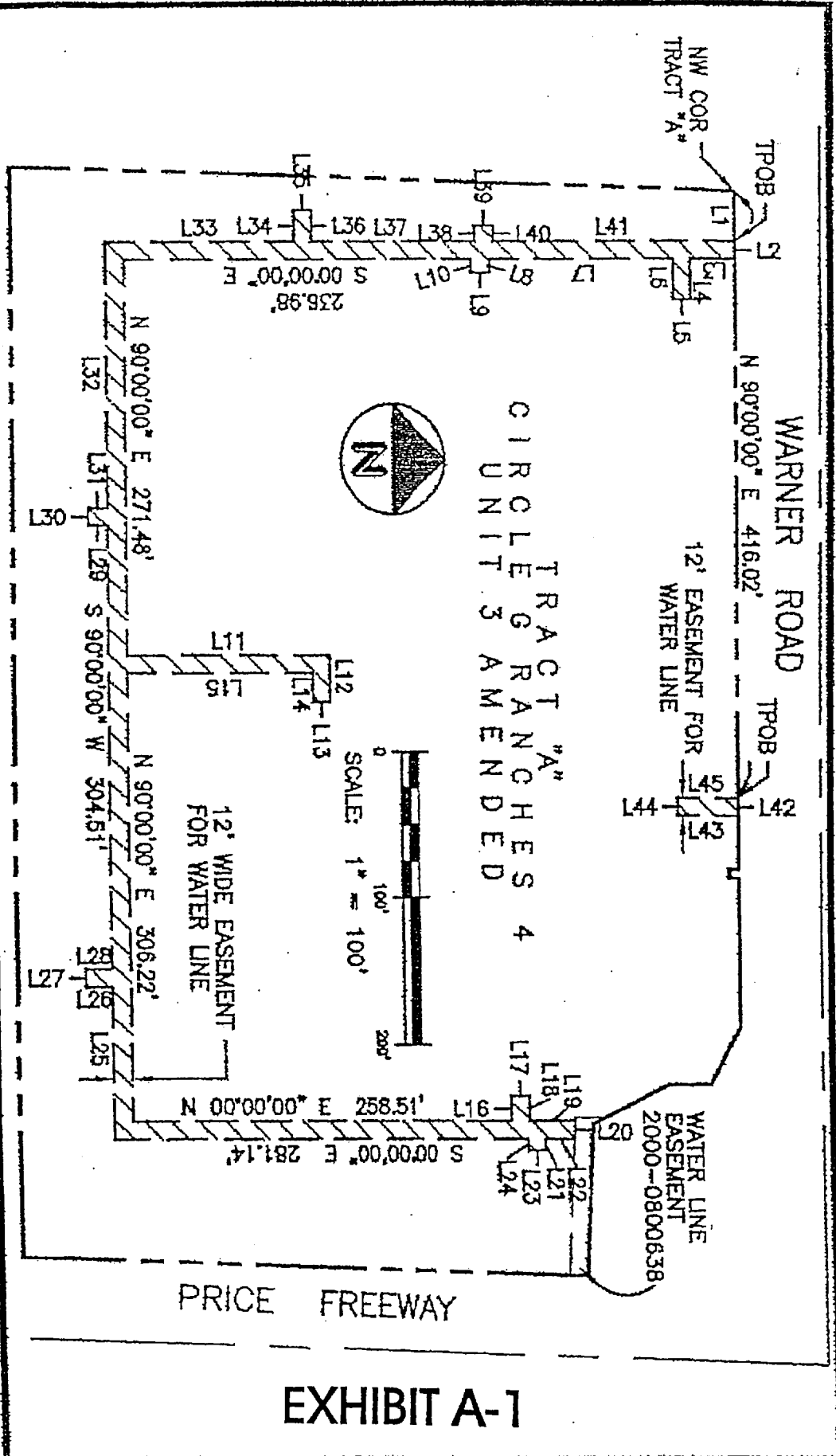
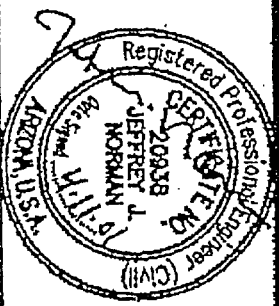


EXHIBIT A-1



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DRN:	JB	SCALE:	1" = 100'
CHK:	JN	JOB NO.:	1735
DES:	JN	SHT	1 OF 2
DATE:	04-11-01		

WATER LINE EASEMENT EXHIBIT  
SOUTHWEST CORNER OF  
WARNER ROAD & PRICE FREEWAY